

## REGULARS REJECT INSURGENT DEMANDS

Committee Fight, Decided in Caucus, May Be Carried to Floor of Senate.

### THE ASSIGNMENTS MADE

La Follette and Bristow Fail to Get Places They Wanted—Wisconsin Senator Gives Warning of Contest.

[From The Tribune Bureau.]

Washington, April 26.—The fight for committee places was carried into the Republican caucus of the Senate today by the progressive group, with a result in the person of Senator Kenyon, of Iowa. Their demands, which were narrowed down to two—a place for Senator Bristow on Finance and for Senator La Follette on Interstate Commerce—were unheeded by the regulars, and the slate as made up by the committee on committees went through, the caucus dividing on progressive and regular lines. Senator La Follette, determined to prolong the contest, which is rapidly disappearing for lack of something for the insurgents to fight for, practically all their requests having been granted, gave notice that his faction reserved the right to oppose the slate as approved by the caucus on the floor of the Senate.

The fight of the insurgents for the balance of power on the two important committees, Finance and Interstate Commerce, took a slightly different turn today. Senator Cummins, who had been slated by the insurgents for Finance, gave way to Senator Bristow. To this the regulars objected, as six Senators, all preceding the Senator from Kansas in the line of seniority, had applied for a place on Finance and had been refused. The motion was voted down, 21 to 12. The motion to place Senator La Follette on Interstate Commerce was also voted down, 32 to 11. Senator Kenyon voting with the insurgents.

It is not expected that the fight, if any is made by the insurgents, against the caucus slate on the floor of the Senate will be prolonged. All the insurgents have been placed on the best committees, and it is not probable that they will endanger their positions by following the Senator from Wisconsin in his demands for a place for himself.

Senator Root, who gives up the chairmanship of the Committee on Expenditures in the State Department, is placed at the head of the Committee on Industrial Expositions. He also has a place on the Judiciary Committee.

### Trouble Begins in Committee.

The skirmish began in the meeting of the committee on committees early in the day. Senator Gallinger, the chairman of the committee, reported the list of assignments. Immediately Senator La Follette objected to the selections, insisting that the progressive Senators were being treated "unjustly and unfairly." He declared that he would reserve the right to oppose the list further in his own time.

As a concession to the progressive wing, a change was made in the assignments to permit Senator Bourne to take a place on Appropriations.

When the caucus met about fifty Senators were present, all the progressives being on hand except Senator Crawford. Senator Cummins put the issue squarely, without any preliminaries. He urged the appointment of Mr. La Follette to the Interstate Commerce Committee because of his "fitness and seniority," and the placing of Mr. Bristow on the Committee of Finance because of his "capacity for hard work and deep interest" in the subject.

Senator Gallinger replied that the committee already were fixed and it was inexpedient to enlarge them. He added that the progressives had received due consideration and all the committee assignments to which they were entitled.

Senator Cummins asked for a separate vote on the two propositions. The motion to place La Follette on Interstate Commerce was then voted down. Those voting for the motion were Borah, Bourne, Bristow, Brown, Clapp, Cummins, Dixon, Gronna, Kenyon, Poinsett and Works. Neither Senator La Follette nor his colleague, Mr. Stephen, voted. In the case of Mr. Bristow, that motion, too, was lost, Senator Curtis deserting the regular camp for a moment and voting with the progressives out of compliment to his colleague.

Mr. Cummins immediately gave notice that he reserved the right to carry the question of reconsideration of the votes to the floor of the Senate. Mr. La Follette went further, however, and declared that he proposed to decide for himself whether he would take into the open Senate not only the question of the votes but also the broader question of the committee appointments.

Immediately after the caucus adjourned the progressives held a secret conference to decide on their future action. Although they were in session nearly two hours, no decision was reached, and the entire matter went over until tomorrow morning, when another conference will be held.

### The New Committee List.

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## THE DAY IN WASHINGTON

[From The Tribune Bureau.]

Washington, April 26.

**WHO ARE PROGRESSIVE?**—The preamble to resolution of Senator La Follette, in which he declares that he and his insurgent associates are "progressive Republicans," and that there are "clearly defined differences on important legislative measures" between the two factions in the Republican party, has raised an interesting question as to how far these men who so loudly proclaim their progressiveness are really entitled to that distinction, and as to just what those clearly defined differences are. This same preamble names the "progressives" in the Senate. The first name is that of Senator Borah. Mr. Borah was an insistent advocate of higher duties for hides, wool, lead, lumber and, indeed, all other Idaho products, and so was Senator Dixon, whom the Wisconsin Senator also includes in his list. In fact, Mr. Borah threatened to vote against the bill if it made hides free. Senator Bourne, creator of the Progressive League, was for high rates of duty on everything that his state, Oregon, produced. Senator Works is also his hand on the tariff bill, but it would be interesting to know whether he favors a lower duty on lemons and other citrus fruits. Otherwise it is difficult to see with regard to the tariff that Senator La Follette asserts that he and his colleagues are for progressive policies. Indeed, with regard to Senator La Follette's own record and the lead schedule there are some things to be explained. Perhaps it is Canadian reciprocity that the Wisconsin Senator has in mind when he asserts that he and his associates are progressive, and regarding these there are clearly defined differences.

### PROGRESSIVES AND RECIPROCITY.

The Canadian reciprocity agreement provides for some lowering of the duties of the Payne tariff bill, which the insurgents have so vigorously denounced—except where it touched the interests of their states—and the sharp division between progressive Republicans and all others on this measure throws a striking light on the clarity of insurgent thought. The Senate has not yet been called upon to vote on the reciprocity agreement, but the House has, and Senator La Follette and his associates have some supine disciples in that body. Among those who voted against reciprocity in the House the names of the following progressive—or should they be called insurgent?—Republicans stand out prominently: Joseph G. Cannon, Irvine L. Lenroot, John Dalsell, George W. Norris, Joseph W. Fordney and Andrew J. Volstead. Lenroot, by the way, is the chief political henchman of La Follette, of Wisconsin. Norris was the chief opponent of Cannonism, and Volstead is a good old rock-ribbed insurgent from Minnesota. On the other hand, among those ironclad "stand-patters" who voted for the reciprocity agreement are to be found Victor Murdock, Martin E. O'Malley, E. H. Madison, Seneca E. Payne, Henry A. Cooper and James R. Mann. Every one knows how retrogressive is Victor Murdock. E. H. Madison claims to be an insurgent and Henry A. Cooper yields place to no one in loyalty to La Follette. The issues between the regulars and the progressives may be clearly defined, but nothing less than the peculiar vision of the Wisconsin Senator can perceive the difference.

### RECIPROCITY IN THE SENATE.

In the Senate the most violent opposition to the reciprocity agreement comes from the self-styled progressives. Probably no one of them will vote even for this slight reduction of the tariff. As a large number of regular Republicans will do so, that difference might be regarded as a clearly defined issue between them were it not for the fact that such staunch "stand-patters" as Henry Borah, Warren, Frye, McCumber and Nelson are equally determined to defeat it. Senator La Follette himself has thus far refrained, as is his custom, from committing himself, but it is known that he is working against the agreement with all the might he can exert without coming out into the open. That reciprocity is a progressive policy none can deny. That the ideal of the genuine progressive is broad statesmanship as opposed to narrow devotion to the interests of a single section is also true, but measured by this ideal scarcely one insurgent comes up to the requirements. Certainly there is nothing in the record to support the Wisconsin Senator's assertion that the issues between the regulars and the insurgents are clearly defined, and very little that warrants the application to the insurgent group of the adjective progressive.

## THE ASSISTANT TREASURER—The President, as soon as he returns from New York, expects to take up the problem of selecting an Assistant Treasurer of the United States for New York. Among those whose claims will be considered are Ezra P. Prentiss, former chairman of the New York Republican State Committee, George J. Skinner, Deputy Superintendent of Banks for New York, who has been strongly recommended, although the indications are that the Executive will make a choice between the former two. It is probable that the recommendation of Senator Root will go so far to decide the choice of the President, and it is understood that he has not yet indicated a definite preference. This is the place made vacant by the recent death of George S. Terry.

**THE BANK GUARANTEE.**—Since January 1 more than 18 per cent of the state banks of Oklahoma have undertaken to escape the hazard of the bank guarantee act by applying for charters as national banks. This law, which was so earnestly advocated by the Democratic party in the last national campaign and was demanded as a national institution by a plank in the Democratic national platform, has worked just the injustice which President Taft predicted it would when he urged the postal savings banks as the proper substitute. According to the September report, there were then seven hundred state banks, trust companies and savings banks in Oklahoma. Since January 1 forty-three state banks have secured charters as national banks and the applications of eighty-three are still pending, making a total of 136, which is 18 per cent of the total number of state institutions. Governor Grice of Oklahoma is so enraged at this repudiation of the Democratic law that he has issued a public statement announcing that if the state banks persist in this course he will demand that the Legislature pass a law authorizing him to withdraw all state funds from national banks, so that the money of the state may be used as a premium with which to induce the state institutions to carry the burden of the guarantee act. In practice the bank guarantee act has put a premium on speculative banking, while the conservative and trustworthy institutions have been called upon to make good the losses incurred by those institutions which were able to secure deposits only because the depositors knew they had nothing to lose, and that if the methods of the bankers resulted in disaster the state would compel the better managed and more prosperous banks to make up by assessment the deficits. The Governor's threat has not thus far proved efficacious in checking the stampede.

### OKLAHOMA DEPOSIT FUND

Auditors Can't Make Exact Report After Three Years' Work.

[By Telegraph to The Tribune.]

Guthrie, Okla., April 25.—The report became public today of the condition of the state's bank guarantee deposit fund as made to the State Bankers' Association by a firm of public accountants. The report covers all transactions relative to the fund from the time the law went into effect, March, 1908, until January 30, 1911. A circular letter from the association accompanies the report, and says that the duty of making a report on the guarantee fund's condition devolved upon the officers of the association "after waiting for over three years for the state officials to make a full, complete and comprehensive report to the state bankers without avail." The report shows that January 30, 1911, there was a cash balance on hand in the guarantee fund of \$35,292, and the Planters and Mechanics' Bank of Oklahoma City, which recently failed, is being handled out of the balance on hand. An introduction to the report, signed by the auditing company, says: "It is necessary to preface our report by referring to the incompleteness of records available. Our examination contemplated a complete audit of the affairs of each bank which failed or has required assistance, but such audit has not been possible. In the case of the Columbia Bank and Trust company, which failed in Oklahoma City, September 28, 1909, certain absolutely essential records have disappeared, such as discount register, general cash journal, etc., nor have we found such records as would make it possible to reconstruct those missing. From September 28, 1909, to December, 1910, the guarantee fund account in the Treasurer's office showed a balance vastly greater than was on hand, while the books of the banking board did not and could not show the condition of the fund." Under the head of disbursements a total of \$46,012.97 is given as "balance to be accounted for," and \$46,539.54 was lost directly in paying depositors of failed banks and liquidating other banks. The Columbia failure cost the guarantee fund \$36,250.55. Nothing indicates that any special deposit to assist banks has ever been paid back.

## FIND REBATE INDICTMENTS

Continued from first page.

docking companies paid over a portion of the money thus received to the shippers, and that the whole constitutes a conspiracy in violation of the Elkins law.

The penalty for rebating is a fine of not less than \$1,000 nor more than \$20,000, with imprisonment not to exceed two years. The penalty for conspiracy is not to exceed a fine of \$10,000 and imprisonment not to exceed two years. In addition, under the Elkins law, the government has the right to bring civil suit for three times the amount of money rebated. It would be possible, in case of conviction, for the government to collect many millions of dollars.

### Government in Long Pursuit.

The investigation leading up to today's action of the grand jury began several months ago, and is the first government inquiry into ore transportation methods in the lower lake regions. The matter was brought to the federal grand jury's attention three weeks ago.

District Attorney W. L. Day and his assistants, Joseph G. Fog and J. S. Bachman; John H. Marble, attorney for the Interstate Commerce Commission, and R. C. Marshall, for the Department of Justice, conducted the case. About forty witnesses were examined before the grand jury, including officials representing the railroads and ore companies from the lakes to Kentucky.

Among these were representatives of the Jones & Laughlin Steel Company, Pittsburgh; the Carnegie Steel Company, Pittsburgh; the M. A. Hanna Company, Cleveland; the Wheeling Steel and Iron Company, the Ashland Iron and Mining Company, the American Steel and Wire Company and the National Tube Company.

The government's next step will be the issuance of warrants for the persons named in the indictments. It is District Attorney Day's intention to expedite matters as much as possible, as he is soon to assume the office of United States federal judge of the Cleveland district.

On the petition of Mr. Day United States Judge Killits, of Toledo, who received the report, ordered that the jury be excused, to hold itself in readiness for another call from the court.

### OFFICIALS GRATIFIED

Cleveland Indictments Show Government Is in Earnest.

[From The Tribune Bureau.]

Washington, April 26.—The return of indictments by the Cleveland grand jury against four big railroads and a number of individuals prominent in the business world, charging rebating and conspiracy to violate the Elkins law, which were predicted in these dispatches to The Tribune of April 19, are the occasion of much gratification to the Department of Justice, which has worked assiduously to procure the evidence and present it to the federal grand jury.

The indictment of men as prominent as Daniel R. Hanna, son of the late Senator Marcus A. Hanna; R. L. Ireland, second vice-president of the M. A. Hanna Company, and D. T. McCabe, fourth vice-president of the Pennsylvania Railroad, is regarded by officials here as conclusive proof that the administration is in earnest in its determination that there shall be no discrimination between persons in the enforcement of the law, and that those who willfully violate the federal statutes can count on neither their political influence nor their business prominence to secure immunity from punishment.

It is contended by the Department of Justice that the dock and terminal companies involved in the charges preferred before the grand jury were merely more or less ingenious devices for the purpose of defeating the intent of the law; that the dock companies charged exorbitant rates

for handling ore and other commodities, the profits of which went eventually to the railroads themselves. The greater number of counts of the indictments were for rebating.

The prominence of the railroads and the individuals involved will, it is believed, have a salutary effect in putting an end to the practice of rebating which may have sprung up in new forms since the law prohibiting it went into effect. It has been a particularly difficult task to obtain evidence in connection with this last phase of the rebating problem, because of the precautions naturally taken by those seeking to evade the law. It is expected that a strong battery of counsel will be brought to bear on the government's position, but the fight will be carried on with the greatest possible vigor, and the Department of Justice is confident of its ground.

## ALL PITY THE FARMER

His Woes Related in Debate on Free List Bill.

[From The Tribune Bureau.]

Washington, April 26.—Debate on the Farmers' Free List bill dragged wearily in the House today, while spring fever took possession of that body and left row after row of empty seats. The "poor old farmer" was wept over on both sides of the chamber, Democratic orators holding up the pending bill as the only relief for his sufferings, while Republican speakers endeavored to think of the farmer's fate when protection is taken away from his products. The farmer and his alleged woes will occupy many pages in The Congressional Record to-morrow.

Representative Ollie James, Kentucky Democrat, digressed long enough to take part in a colloquy concerning automobiles and Missouri mules, while Representative Norris, Nebraska insurgent, arraigned the Coffee Trust. Beyond this the debate today was prosaic. Occasionally Mr. Underwood or Mr. Dalsell arose to ask how much time had been consumed. The chair replied in a weary voice, and everybody yawned.

In order that the debate on the free list bill might proceed the House agreed to dispense with Calendar Wednesday, heretofore held to be sacred.

### TRIAL OF DANIEL J. O'REILLY.

The trial of Daniel J. O'Reilly, the lawyer, indicted on a charge of criminally changing for a "HAMILTON" coupon, was postponed today because of the theft of securities worth \$5,000 from Aaron Bancroft on March 2, 1911, was set for May 15 by Justice Davis yesterday, in the Criminal Branch of the Supreme Court.

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